

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00149

LEWIS H. ALLEN, JR.

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On April 23, 2018, the United States of America appeared by Timothy D. Boggess, Assistant United States Attorney, and the defendant, Lewis H. Allen, Jr., appeared in person and by his counsel, John H. Tinney, Jr., for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Justin W. Mounts. The defendant commenced a six-year term and a five-year term of supervised release in this action on July 3, 2014, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on March 3, 2009.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respect: the defendant committed the federal and state offense of delivery of cocaine as evidenced by his guilty plea in Fayette County Circuit Court for which he received a sentence of 2 to 30 years, the defendant having served that sentence beginning on or about March 12, 2015, the date of his arrest, until he was paroled on or about March 15, 2018; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

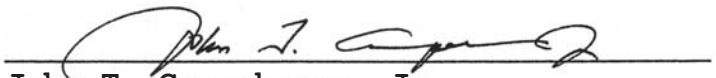
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth

in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FIFTEEN (15) MONTHS, imposed as to each of Counts 2 and 3, to run concurrently, to be followed by a term of fifty-seven (57) months of supervised release on Count 2 and a term of forty-five (45) months of supervised release on Count 3, to run concurrently, upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B) and the standard conditions as set forth in Local Rule 32.3.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: May 1, 2018


John T. Copenhaver, Jr.
United States District Judge